BILL NO. Z-77-01-31

ZONING MAP ORDINANCE NO. Z-38-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB-6.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a B 1 B District under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB-6, referred to therein, established by Section 9, Article III of said Chapter as amended, are hereby changed accordingly, to-wit:

Lot Number One (1) in B. W. & S. W. Vessy's Addition to the City of Fort Wayne, according to the recorded plat thereof, Allen County, Indiana.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Vivian L. Schmidt
Councilman

APPROVED AS TO FORM
AND LEGALITY,
CITY ATTORNEY

Read the first time in full and on motion by O. Schmidt, seconded by Hinga, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal notice, at the~~ Council Chambers, City-County Building, Fort Wayne, Indiana, ~~on~~ _____, the day of _____, 1976, at _____ o'clock P.M.,E.S.T.

DATE: 1-25-77. Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Hinga, seconded by Talarico, and duly adopted, placed on its passage.

PASSED [~~LOST~~] by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	5	1		3	
BURNS	X				
HINGA	X				
HUNTER	X				
MOSES				X	
NUCKOLS	X				
SCHMIDT, D.				X	
SCHMIDT, V.				X	
STIER		X			
TALARICO	X				

DATE: 12-27-77 Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) [~~GENERAL~~] [~~ANNEXATION~~] [~~SPECIAL~~] [~~APPROPRIATION~~]
ORDINANCE [~~RESOLUTION~~] No. Z-38-77 on the 27th day of December, 1977.

ATTEST: [SEAL]

Charles W. Westerman
CITY CLERK

John Nuckols
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977, at the hour of 11:00 o'clock A M.,E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 28th day of December, 1977, at the hour of 3:30 o'clock PM.,E.S.T.

Robert E. Armstrong
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 28, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-01-31; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on February 14, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan:

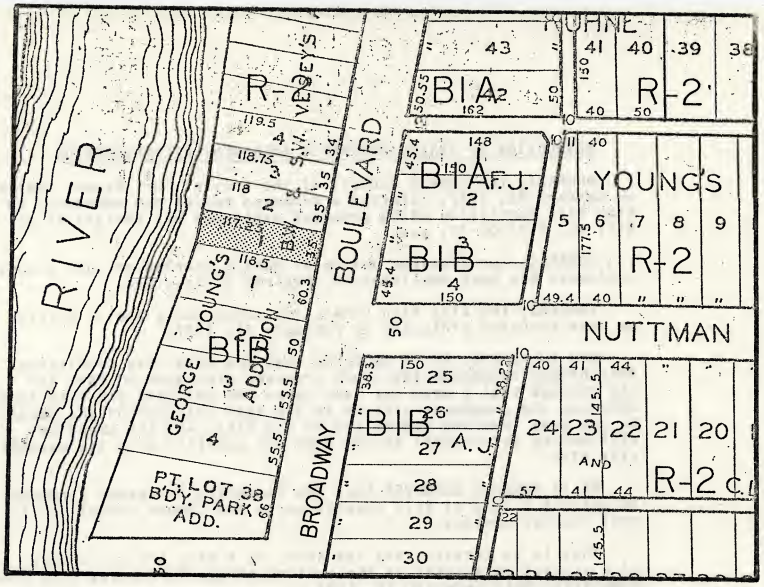
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 14, 1977.

Certified and signed this
19th day of December 1977.

Joseph N. Adair

Joseph N. Adair
Secretary



To be changed from R-2 to B-1-B

1-14-77
BB-6
L.S.

2-77-01-31

N

Bill No. Z-77-01-31

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. BB-6

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance DO PASS.

VIVIAN G. SCHMIDT - CHAIRMAN — Vivian G. Schmidt

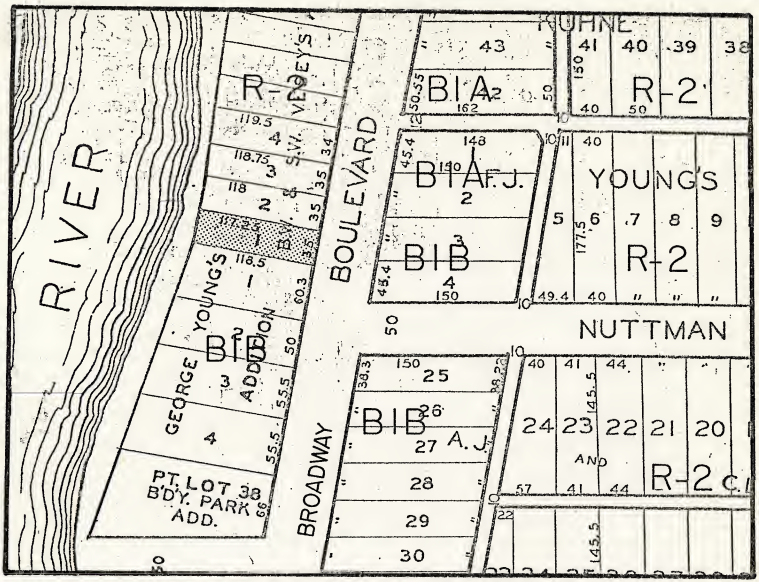
WINFIELD C. MOSES, JR. - VICE-CHAIRMAN — Winfield C. Moses Jr.

WILLIAM T. HINGA — William T. Hinga

DONALD SCHMIDT

SAMUEL J. TALARICO — Samuel J. Talarico

DATE 12-27-77 CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK



To be changed from R-2 to B-1-B

I-14-77
BB-6
L.S.

Z-77-01-31

N

PETITION TO REZONE

The undersigned, being the owners of more than fifty-one (51) percent of the real estate hereinafter described, do hereby respectfully petition the Common Council of the City of Fort Wayne, Indiana, to enact an ordinance to reclassify from an R-2 district to a B-1-B district, the real estate described as follows, to-wit:

> Lot Number One (1) in B. W. & S.W. Vesey's Addition to the City of Fort Wayne, according to the recorded plat thereof, Allen County, Indiana.

The herein described real estate is shown on page BB-4 of the Zoning Books of the City of Fort Wayne, Indiana.

William H. Gouty
WILLIAM H. GOUTY

Dorothy A. Gouty
DOROTHY A. GOUTY

LIVINGSTON, DILDINE,
HAYNIE & YODER

By _____
(Charles R. Cogdell)

Attorneys for Petitioner

Number assigned by Bill Salin's office: # 3505 Admn. Appr. _____

DIGEST SHEET

3-77-01-21.

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property: Lot # 1 in B. W. & S. W. Vesey's Addition, generally located on the west side of Broadway and approximately 20 feet north of the intersection of Nutttman and Broadway. (Abutting Gouty's Service Station)

From "R2" to "B1B"

EFFECT OF PASSAGE Property is presently zoned an "R2" District - Two family residential. Petitioners are requesting a "B1B" - Limited Business.

EFFECT OF NON-PASSAGE Property would remain an "R2"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

(ASSIGN TO COMMITTEE (J.N.) Rep.

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

January 4, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of January 7 and January 14, 1977, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Zoning Map Ordinance No. Z-38-77
Bill No. Z-77-01-31

General Ordinance No. G-48-77
Bill No. G-77-10-39

Please sent us five (5) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 2

© F.W.B.C. 197

LEGAL NOTICE
OF THE COMMON COUNCIL, FORT WAYNE, INDIANA

Notice is hereby given that on the 27th day of December, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-77-01-31 -- ZONING MAP ORDINANCE NO. Z-38-77, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB6 .

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that BILL NO. Z-77-01-31 -- ZONING MAP ORDINANCE NO. Z-38-77, was passed by the Common Council on the 27th day of December, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of December, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of December, 1977.

Charles W. Westerman
City Clerk

Copies of said BILL NO. Z-77-02-31 -- ZONING MAP ORDINANCE NO. Z-38-77, are posted in the following public places in Fort Wayne, Allen County, Indiana.

(1) The main floor lobby of the City-County Building

(2) the bulletin board in the lobby at the east door of the Allen County Court House

(3) The bulletin board in the lobby of the Downtwon Fort Wayne Public Library

Copies of said BILL NO. Z-77-01-31 -- ZONING MAP ORDINANCE NO. Z-38-77, are also available for reading in the following public places in Fort Wayne, Indiana.

(4) The Reference Room in the north end of the main floor in said Dowtown Public Library

(5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on January 9, 1978.

Charles W. Westerman
City Clerk

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display	Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head	number of lines	3
Body	number of lines	58
Tail	number of lines	2
	Total number of lines in notice	63

COMPUTATION OF CHARGES

63 lines, 1 columns wide equals 63 equivalent lines at .2594 cents per line $ 16.32

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM $ 17.82

DATA FOR COMPUTING COST

Width of single column 11 ems 9.9

Number of insertions 2

Size of type 5½ point

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V.E. Gerken

Title CLERK

NOTICE OF THE COMMON COUNCIL, FORT WAYNE, INDIANA

Notice is hereby given that on the 27th day of December, 1977, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. Z-77-01-31 — ZONING MAP ORDINANCE NO. Z-38-77, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. B86.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that BILL NO. Z-77-01-31 — ZONING MAP ORDINANCE NO. Z-38-77, was passed by the Common Council on the 27th day of December, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of December, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of December, 1977.

Charles W. Westerman
City Clerk

Copies of said BILL NO. Z-77-02-31 — ZONING MAP ORDINANCE NO. Z-38-77, are posted in the following public places in Fort Wayne, Allen County, Indiana.

(1) The main floor lobby of the City-County Building.

(2) The bulletin board in the lobby at the east door of the Allen County Court House

(3) The bulletin board in the lobby of the Downtown Fort Wayne Public Library

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(4) The Reference Room in the north end of the main floor in said Downtown Public Library.

(5) The Journal of the Common Council Proceedings in the Office of the City Clerk of Fort Wayne, Indiana, Room 122, City-County Building, Fort Wayne, Indiana.

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on January 9, 1978.

Charles W. Westerman
City Clerk

1—7-14

ATTACH COPY OF ADVERTISEMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana, ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned V.E. GERKEN who, being duly sworn, says that she is CLERK of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city/town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

1/7-14/78

V.E. Gerken

Subscribed and sworn to before me this 14th day of January, 1978

Notary Public

My commission expires September 28, 1979

Form Prescribed by State Board of Accounts

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To THE NEWS-SENTINEL Dr.

FORT WAYNE, INDIANA

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COMPUTATION OF CHARGES

63 lines, 1 columns wide equals 63 equivalent lines at .259¢ cents per line $ 16.32

Additional charge for notices containing rule or tabular work (50 per cent of above amount) ____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 1.50

TOTAL AMOUNT OF CLAIM $ 17.82

DATA FOR COMPUTING COST

Width of single column 9.9 ems — Size of type 5½ point

Number of insertions 2 — Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

V. E. Gerken

Date January 14, 19 78 — Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

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1/7-14/78

V. E. Gerken

Subscribed and sworn to before me this 14th day of January 19 78

Harry [illegible]
Notary Public

My commission expires September 28, 1979

[ATTACH COPY OF ADVERTISEMENT HERE]

In other Mideast develop
• Diplomats in Tel Av
sent bulldozers to clear
northeast part of the Sinai
add strength to Israel's
tion with Egypt. They sa
to assure Israeli settlers
ritory that they won't be
• Egyptian officials in
who hosted

Z-38 ... in the following public places in Fort Wayne, Allen County, Indiana.
(1) The main floor lobby of the City-County Building
(2) The bulletin board in the lobby at the east door of the Allen County Court House
(3) The bulletin board in the lobby of the Downtown Fort Wayne Public Library
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Charles W. Westerman
City Clerk
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on January 9, 1978.
Charles W. Westerman
City Clerk
1—7-14

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

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Charge for extra proofs of publication (50 cents for each proof in excess of two)	1.50
TOTAL AMOUNT OF CLAIM	$17.82

DATA FOR COMPUTING COST

Width of single column ~~11~~ 9.9 ems

Size of type 5½ point

Number of insertions 2

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Title CLERK

, 19 78

NOTICE OF THE COMMON COUNCIL, FORT WAYNE, INDIANA

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I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that BILL NO. Z-77-01-31 — ZONING MAP ORDINANCE NO. Z-38-77, was passed by the Common Council on the 27th day of December, 1977, and that said Ordinance was duly signed and approved by the Mayor on the 28th day of December, 1977, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of December, 1977.

Charles W. Westerman
City Clerk

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Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on January 9, 1978.

Charles W. Westerman
City Clerk

1—7-14-14

I COPY OF
EMENT HERE

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

1/7-16/78

Arvilla DeWald

Subscribed and sworn to before me this 16th day of January, 1978

Edith Stapleton
Notary Public

My commission expires March 11, 1978

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Common Council of Fort Wayne
(Governmental Unit)

Allen County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

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Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date January 16, 1978

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city / town of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

1/7-16/78

Arvilla DeWald

Subscribed and sworn to before me this 16th day of January, 1978

Edith Stapleton
Notary Public

My commission expires March 11, 1978

...S DRIVERS
...MUNITY SCHOOLS
...nity Employer
...ndiana 484-7711
Ft. Wayne, IN.

...seal of the City of Fort Wayne, Indiana, this 28th day of December, 1977.
Charles W. Westerman
City Clerk

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Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above Ordinance in the designated places as stated above on January 9, 1978.

Charles W. Westerman
City Clerk

1—7-16-16

...COPY OF
...EMENT HERE